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SAKEENAH McCULLOUGH and  
DANIEL GUNTHER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAKEENAH MCCULLOUGH and DANIEL  
GUNTHER

Plaintiffs,

v.

XEROX CORPORATION, a corporation, and  
DOES One through Thirty-five, inclusive,  
Defendants.

Case No.: 3:13-cv-04596 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING THE PARTIES' DEADLINE  
TO COMPLETE COURT SPONSORED  
MEDIATION**

Complaint filed: June 27, 2013  
First Amended Complaint filed: July 26, 2013

1 Plaintiffs SAKEENAH MCCULLOUGH and DANIEL GUNTHER ("Plaintiffs")  
2 and Defendant XEROX CORPORATION ("Defendant"), by and through their respective  
3 undersigned attorneys, hereby stipulate and agree to continue the deadline for the parties to  
4 complete court sponsored mediation in this matter from May 19, 2014, until August 19,  
5 2014, as set forth below.

6  
7 WHEREAS, on October 4, 2013 Defendant removed this matter to this Court  
8 from the San Francisco Superior Court based on Diversity Jurisdiction;

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10 WHEREAS, on January 17, 2014, the parties appeared before the Court for an  
11 Initial Case Management Conference;

12  
13 WHEREAS, on January 17, 2014, the Court filed its Civil Minute Order, setting  
14 February 19, 2014, as the last day for Defendant to file a Motion to Sever and May 19,  
15 2014, as the deadline for the parties to complete court sponsored mediation;

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17 WHEREAS, on February 19, 2014, Defendant filed its Motion to Sever  
18 Plaintiffs' Claims Into Separate Actions ("Motion to Sever");

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20 WHEREAS, on March 5, 2014, Plaintiffs filed their Opposition to Defendant's  
21 Motion to Sever;

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23 WHEREAS, on March 12, 2014, Defendant filed its Reply in support of its  
24 Motion to Sever;

25  
26 WHEREAS, the hearing on Defendant's Motion to Sever is calendared to be  
27 heard on April 18, 2014 at 9:00 a.m.;

WHEREAS, on March 7, 2014, the Court appointed Fred D. Butler as Mediator in this matter;

WHEREAS, the parties agree that mediation of this matter would not be meaningful without a ruling on Defendant's Motion to Sever and discovery conducted subsequent to that ruling;

WHEREAS, a trial date has not yet been set, and dispositive motions are calendared to be heard on April 17, 2015;

WHEREAS, the parties have not previously sought to continue or extend any of the deadlines in this action related to the Civil Minute Order;

WHEREAS, Mr. Butler has indicated that he is amenable to the parties' request to extend the deadline to complete mediation;

NOW, THEREFORE,

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendant, by and through their respective undersigned attorneys of record, to continue the date of the Court's Civil Minute Order for the parties to complete court sponsored mediation in this matter from May 19, 2014, until August, 19, 2014, in order for the parties to conduct meaningful discovery after the Court has ruled on Defendant's Motion to Sever.

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1 Good cause exists for this continuance of the existing date of the Court's  
2 Order for the parties to complete mediation in this matter, as set forth above.

3  
4 **IT IS SO STIPULATED.**

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6  
7 Dated: March 21, 2014

BOHBOT & RILES, LLP

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9  
10 By: /s/ Elizabeth Riles  
11 Elizabeth L. Riles  
12 Attorneys for Plaintiffs  
13 SAKEENAH McCULLOUGH and DANIEL  
GUNTHER

14 Dated: March 21, 2014

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15  
16  
17 By: /s/ Bethany A. Vasquez  
18 Janine S. Simerly  
19 Bethany A. Vasquez  
20 Attorneys for Defendant  
XEROX CORPORATION

~~[PROPOSED]~~ ORDER

Having reviewed the Stipulation executed by Plaintiffs SAKEENAH MCCULLOUGH and DANIEL GUNTHER and Defendant XEROX CORPORATION, and good cause appearing, the Court hereby orders that the deadline for the parties to complete the mediation of this matter is hereby continued until August 19, 2014.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 24, 2014

  
Hon. Jeffrey S. White  
District Judge

4830-9938-6137, v. 1